

PATENT

585AAA

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Applicant(s): Joerg Schlieffers, *et al.*

Examiner: Diane L. Lee

Serial No: 09/835,733

Art Unit: 2876

Filing Date: April 16, 2001

Title: DATA ACQUISITION APPARATUS

Mail Stop Non-Fee Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

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Terminal Disclaimer to Overcome a Double  
Patenting Rejection (37 CFR §1.321(c))

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Dear Sir:

I, Himanshu S. Amin, represent that I am an attorney of record for application Serial No. 09/835,733 filed April 16, 2001, entitled DATA ACQUISITION APPARATUS. The terminal part of any patent granted on the above-identified patent application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 of United States Patent Nos. 5,979,770 and 6,244,513 as presently shortened by any terminal disclaimer, is hereby disclaimed, except as provided below, and it is hereby agreed that any patent so granted on the above-identified patent application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent Nos. 5,979,770 and 6,244,513 this agreement to run with any patent granted on the above-identified patent application and to be binding upon the grantee, its successors or assigns.

09/835,733585AAA

In making the above disclaimer, disclaimant does not disclaim any terminal part of any patent granted on the above-identified patent application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of United States Patent Nos. 5,979,770 and 6,244,513 as presently shortened by any terminal disclaimer in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by a terminal disclaimer, except for the separation of legal title stated above.

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Respectfully submitted,  
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